

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHESTNUT STREET CONSOLIDATED,	:	CIVIL ACTION
LLC,	:	
	:	NO. 21-3046
Plaintiff,	:	
v.	:	
	:	
BAHAA DAWARA, et al,	:	
	:	
Defendants.	:	

O R D E R

AND NOW, this **3rd** day of **August, 2022**, following a bench trial and after considering the parties' proposed findings of fact and conclusions of law, and the replies thereto, it is hereby **ORDERED**, for the reasons set forth in the accompanying memorandum, as follows:

1. Defendants Faten Dawara (a/k/a Fatan Dawara), Maisaa Dawara, Mirvat Dawara, Abeer Naim, and Haitham Albarouki's motion to set aside the entry of default [ECF No. 51], which was previously taken under advisement, is **GRANTED**. The Clerk of Court is directed to set aside the entry of default;
2. Plaintiff's motion for leave to supplement the trial record [ECF No. 129] is **GRANTED**;
3. Judgment will be entered as follows:
 - a. Judgment will be entered in favor of Plaintiff and against the Defendants on Count I;

- b. Counts II, III, IV, and V¹ of the Complaint will be **DISMISSED**;
- c. The following transfers will be voided: (1) The transfer of Bahaa Dawara's interest in 19 Ridgeway Avenue, Norwood, PA 19074 to Faten Dawara (a/k/a Fatan Dawara); (2) the transfer of Imad Dawara's interest in 305 Seminole Street, Essington, PA 19029 to Maisaa Dawara; and (3) the transfer of Imad Dawara's interest in 407 Seminole Street Essington, PA 19029 to Mirvat Dawara;
- d. **By August 31, 2022**, Defendants will execute the following quitclaim deeds: Bahaa Dawara and Faten Dawara (a/k/a Fatan Dawara) shall execute a quitclaim deed to return title to the property at 19 Ridgeway Avenue, Norwood, PA 19074 to Bahaa Dawara; Imad Dawara and Maisaa Dawara shall execute a quitclaim deed to return title to the property at 305 Seminole Street, Essington, PA 19029 to Imad Dawara; and Imad

¹ Count V requests that the Court enter a permanent injunction against Defendants. Because this is a request for relief rather than a claim, and because a permanent injunction will be entered as part of the relief granted under Count I, Count V will be dismissed.

Dawara and Mirvat Dawara shall execute a quitclaim deed to return title to the property at 407 Seminole Street Essington, PA 19029 to Imad Dawara;

- e. Except as provided for in paragraph 3(d) of this Order, Bahaa Dawara and Imad Dawara will be **PERMANENTLY ENJOINED** from transferring their interests in the properties at 19 Ridgeway Avenue, Norwood, PA 19074, 305 Seminole Street, Essington, PA 19029, and 407 Seminole Street Essington, PA 19029 until further order of the Court. Plaintiff may execute on its state court judgment² against these properties;
- f. Plaintiff will be entitled to a judgment equivalent to the value of the seven additional properties (the "seven properties"), less the value of any valid mortgage or other lien owed on the properties at the time they were fraudulently transferred. Defendants will be jointly and severally liable for the value of the seven properties, as follows:

² The Court of Common Pleas entered judgment in favor of Plaintiff and against Bahaa and Imad Dawara in Fresher Start Inc. v. Dawara, No. 3370 (Ct. Comm. Pl.).

- i. Bahaa Dawara and Faten Dawara (a/k/a Fatan Dawara) will be jointly and severally liable for the value of the property at 134 Garfield Avenue, Woodlyn, PA 19094. The property is valued at \$324,900.00;
- ii. Bahaa Dawara and Faten Dawara (a/k/a Fatan Dawara) will be jointly and severally liable for the value of the property at 140-142 Garfield Avenue, Woodlyn, PA 19094. The property is valued at \$289,000.00;
- iii. Bahaa Dawara and Faten Dawara (a/k/a Fatan Dawara) will be jointly and severally liable for the value of the property at 312 Fern Street, Darby, PA 19023. The property is valued at \$73,800.00;
- iv. Imad Dawara and Abeer Naim will be jointly and severally liable for the value of the property at 1524 McKean Street, Essington, PA 19145. The property is valued at \$305,400.00;
- v. Imad Dawara and Abeer Naim will be jointly and severally liable for the value of the property at 321 Massasoit Street,

Essington, PA 19029. The property is
valued at \$258,600.00;

vi. Imad Dawara and Abeer Naim will be jointly
and severally liable for the value of the
property at 224 Erickson Avenue,
Essington, PA 19029. The property is
valued at \$203,000.00;

vii. Imad Dawara and Abeer Naim will be jointly
and severally liable for the value of the
property at 1007 Milmont Avenue,
Swarthmore, PA 19081. The property is
valued at \$528,700.00;

g. Plaintiff will be entitled to pre-judgment
interest, pursuant to 41 Pa. Stat. Ann. § 202,
and post-judgment interest, pursuant to 28
U.S.C. § 1961. Pre and post-judgment interest
will be based on the value of the seven
properties at the time they were fraudulently
transferred.

4. Plaintiff's request for punitive damages and
attorneys' fees is **DENIED**; and

5. The Court will retain jurisdiction over the case.

IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.